

## Message Text

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ACTION IO-14

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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 9142

INFO AMEMBASSY BRAZZAVILLE

UNCLAS USUN 0175

E.O. 11652: N/A

TAGS: PDIF, CF

SUBJECT: NEW DEVELOPMENT IN CASE OF GORDON GRAY VERSUS  
CONGO MISSION TO THE UNITED NATIONS

REF: USUN 5642; USUN 020

1. ACCORDING TO NEW YORK TIMES, FEDERAL JUDGE CHARLES H. TENNEY HAS REJECTED AN ATTEMPT TO EVICT CONGO MISSION FROM ITS BUILDING AT 14 EAST 65 TH STREET.
2. CASE WAS DISMISSED ON PRECEDURAL GROUNDS. JUDGE TENNEY RULED THAT A SUMMONS TO FORECLOSE MORTGAGE HAD NOT BEEN PROPERLY SERVED. HE NOTED THAT IT WAS "OPEN TO SERIOUS QUESTION" WHETHER COURT COULD ORDER EVICTION OF A DIPLOMATIC MISSION, BUT SAID "ADJUDICATION OF THIS QUESTION MUST AWAIT BRINGING OF A PROPER ACTION."
3. LEON BRICKMAN, ATTORNEY FOR GORDON GRAY, SAID HE WOULD CONSIDER APPEALING DECISION.
4. WE SPOKE TO GORDON GRAY AFTERNOON OF JAN 19. HE WAS EXTREMELY UPSET OVER DECISION. WE REQUESTED GORDON GRAY TO OBTAIN COPY OF JUDGE TENNEY'S DECISION AS WELL AS COPY OF UNCLASSIFIED

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PAPER FILED BY ATTORNEY O'CONNOR FOR CONGO MISSION WHEN CASE WAS REMOVED FROM NEW YORK STATE SUPREME COURT TO U.S. DISTRICT COURT FOR SOUTHERN DISTRICT OF NEW YORK. WE ALSO REQUESTED ALL OTHER COURT PAPERS THAT ATTORNEY BRICKMAN HAD NOT THUS FAR FURNISHED TO USUN.

5. ASIDE FROM ARTICLE IN NEW YORK TIMES, ARTICLE  
ON CASE HAS NOW APPEARED IN CHICAGO DAILY NEWS.  
WE WILL FORWARD COPY OF ARTICLE AS SOON AS WE RECEIVE IT.

6. WE ANTICIPATE VERY SERIOUS DIFFICULTIES AHEAD FOR  
DIPLOMATIC COMMUNITY IN NEW YORK CITY UNLESS CASE CAN BE  
RESOLVED RAPIDLY. MS. KHURSHID HYDER, DEPUTY PERMANENT  
REPRESENTATIVE OF PAKISTAN, HAS INFORMED US THAT SHE WAS  
DENIED AN APARTMENT BY A LANDLORD WHO HAD READ ABOUT CONGO  
MISSION CASE AND WAS CONCERNED OVER FACT THAT MS. HYDER HAD  
DIPLOMATIC IMMUNITY. IF SITUATION CONTINUES, WE CAN EXPECT  
THAT OTHER LANDLORDS MAY DENY HOUSING TO DIPLOMATS AND THAT  
DIPLOMATIC COMMUNITY MAY HAVE PROBLEMS RENTING HOUSES,  
MAKING LOANS, ETC.

7. WE WILL KEEP YOU ADVISED OF DEVELOPMENTS.  
YOUNG

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## Message Attributes

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